

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Domenic Tommarello & John R. Berkley  
Serial No. : yet to be provided  
Filed : herewith  
For : "METHOD AND SYSTEM FOR DELIVERING A  
FRAGRANCE TO MEDICAL APPAREL PACKAGED  
IN A CONTAINER"  
Attorney's Docket No : BMRS-001

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WRITTEN ASSERTION OF SMALL ENTITY STATUS  
PURSUANT TO 37 C.F.R. 1.27

Commissioner for Patents  
P.O. Box 1450  
Mail Stop: Patent Application  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to the provisions of 37 C.F.R. 1.27 as amended and effective September 8, 2000 and in accordance with Section 1.27(c) in particular, the above-identified applicants hereby formally present and file their written assertion of entitlement to Small Entity Status.

Respectfully submitted,

DOMENIC TOMMARELLO  
JOHN R. BERKLEY

Date: March 23, 2004  
P.O. Box 5387  
Magnolia, Massachusetts 01930  
Tel.: (978) 525-3794

By: David Prashker  
David Prashker  
Reg. No. 29,693  
Attorney for applicants

Attorney's Docket No. BMRS-001

DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

The residence, mailing address and citizenship are stated below next to my name.

I believe that I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD AND SYSTEM FOR DELIVERING A FRAGRANCE TO MEDICAL APPAREL PACKAGED IN A CONTAINER", the Specification of which:

XXXX is attached hereto; or

\_\_\_\_\_ was filed on \_\_\_\_\_ as United States Application  
Serial No. \_\_\_\_\_; and

\_\_\_\_\_ was filed on \_\_\_\_\_ as PCT International Application  
No. \_\_\_\_\_.

I hereby state that I have received and understand the contents of the above-identified Specification, including the claims, as amended by any amendment specially referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 35 U.S.C. 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable.

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\_\_\_\_\_ I hereby claim foreign priority benefits under Title 35, United States Code, Sections 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

			Priority claimed	
.....NONE.....			Yes	No
(Number)	(Country)	(Day/month/year/filed)		

XXXX I hereby claim the benefit under 35 U.S.C. 119(e) of the United States Provisional Patent Application(s) listed below:

U.S. Provisional Patent Application Serial No. 60/459,949 filed April 3<sup>rd</sup>, 2003.

\_\_\_\_ I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined 37 C.F.R. 156 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

----- None -----

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith; and, in addition, to act as Agent on my behalf before the competent International Authorities and before the National Authorities for any designated countries in connection with any and all international applications filed or to be filed by the undersigned.

David Prashker  
Registration Number 29,693

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Full Name of first inventor: Domenic Tommarello

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Mars, Pennsylvania

Citizenship: U.S.

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Full Name of second inventor: John R. Berkley

Inventor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence: Bridgewater, Connecticut      Citizenship: U.S.

Mailing Address: 12 Townline Road, Bridgewater, CT 06752

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